

**Remarks/Arguments:**

Claims 1, 9 and 14 have been amended. No new matter is introduced herein. Claims 1-14 are pending.

Claims 1, 3, 9 and 14 have been rejected under 35 U.S.C. §102(b) as being anticipated by Suzuki (JP-62-81807). Claims 1, 3, 9 and 14 have also been rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki. It is respectfully submitted, however, that these claims are now patentable over the cited art for the reasons set forth below.

Claim 1, as amended, includes features neither disclosed nor suggested by the cited art, namely:

- ... the piezoelectric plate having a first face and a second face...
- ... a first electrode for covering the first face...
- ... a second electrode for covering the second face...
- ... a first dielectric film for covering the first electrode, the first dielectric film in contact with the second electrode... (Emphasis Added)

Although not identical to claim 1, amended claims 9 and 14 include similar recitations. Support for the amendment can be found, for example, at page 7, lines 12-21; page 10, lines 10-23; and Figs. 3 and 8.

Suzuki discloses, in Figs. 1 and 2(E), a piezoelectric thin film resonator having an upper electrode 8 and a lower electrode 6. A dielectric film 5 is formed on lower electrode 6 and a dielectric film 9 is formed on an upper electrode 8 (Abstract). Suzuki does not disclose or suggest Applicant's claimed features of "the first dielectric film in contact with the second electrode" (emphasis added). These features are neither disclosed nor suggested by Suzuki. Thus, Suzuki does not include all of the features of claim 1. Accordingly, allowance of claim 1 is respectfully requested.

Claim 3 includes all of the features of claim 1 from which it depends. Accordingly, claim 3 is also patentable over the cited art.

Application No.: 10/500,393  
Amendment Dated: January 16, 2007  
Reply to Office Action of: November 24, 2006

MAT-8559US

Claims 9 and 14, although not identical to claim 1, include features similar to claim 1. Namely, that a first dielectric film is in contact with a second electrode. Accordingly, allowance of claims 9 and 14 is respectfully requested for at least the same reasons as for claim 1.

Claims 2, 4-8 and 10-13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Shibata et al. (U.S. Pat. No. 6,556,103). These claims, however, include all of the features of respective claims 1 and 9 from which they depend. Shibata et al. do not make up for the features that are lacking in Suzuki. Accordingly, claims 2, 4-8 and 10-13 are also patentable over the cited art.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicant

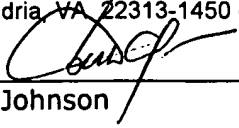
LEA/bj/dmw/bj

Dated: January 16, 2007

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 16, 2007.



Beth Johnson